

STANDARD APPLICATION  
**Harford County**  
**Board of Appeals**  
Bel Air, Maryland 21014

RECEIVED  
JUL 29 2003  
HARFORD COUNTY COUNCIL

Case No. 5370  
Date Filed 7-33-03  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$50.00

Shaded Areas for Office Use Only

Type of Application

Nature of Request and Section(s) of Code \_\_\_\_\_

- ☐ Administrative Decision/Interpretation  
☐ Special Exception  
☐ Use Variance  
☐ Change/Extension of Non-Conforming Use  
☐ Minor Area Variance  
☐ Area Variance  
☐ Variance from Requirements of the Code  
☐ Zoning Map/Drafting Correction

CASE 5370 MAP 56 TYPE Variance

ELECTION DISTRICT 1 LOCATION 709 Scottish Isle Drive, Abingdon, Md. 21009

BY Evelyn Dunnigan

Appealed because a variance pursuant to Section 267-36B, Table VI and Section 267-23C(1)(a)(6) of the Harford County Code to allow a deck within the required 23 foot rear yard setback (proposed 21 foot) in a R3/COS District requires approval by the Board.

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Applicant/Owner (please print or type)**

Name Evelyn Dunnigan Phone Number 410-515-6620

Address 709 Scottish Isle Drive Abingdon, Maryland 21009  
Street Number Street City State Zip Code

Co-Applicant \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street City State Zip Code

Contract Purchaser Evelyn Dunnigan Phone Number 410-515-6620

Address 709 Scottish Isle Drive Abingdon, Maryland 21009  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street City State Zip Code

Hearing: 9/10/03

## Land Description

Address and Location of Property 709 Scottish Isle Drive, Abingdon, Maryland 21009

Subdivision Thousand Palms Lot Number 11

Acreage/Lot Size 74.22 # Election District 1 Zoning R-7/MS

Tax Map No. 86 Grid No. 110 Parcel 587 Water/Sewer: Private        Public       

List ALL structures on property and current use: House

Estimated time required to present case: 1/2 HOUR

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes        No ✓

If so, what is the Critical Area Land Use designations:       

Is this request the result of a zoning enforcement investigation? Yes        No ✓

Is this request within one (1) mile of any incorporated town limits? Yes        No ✓

## Request

This is to request a minor variance of two feet to the rear setback of my  
home, 709 Scottish Isle Drive, Abingdon, Maryland 21009, to build a deck of  
average size width-wise as shown on the property plat.

## Justification

See attached.

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

## **JUSTIFICATION**

After carefully considering the costs involved in building a deck, its suitability of meeting my needs, and the options available to me, I am requesting a minor variance of 2 feet to the rear setback of my home to build a deck of an average width. This 2-foot variance would allow enough space to the width of the deck to accommodate an average size table and four chairs.

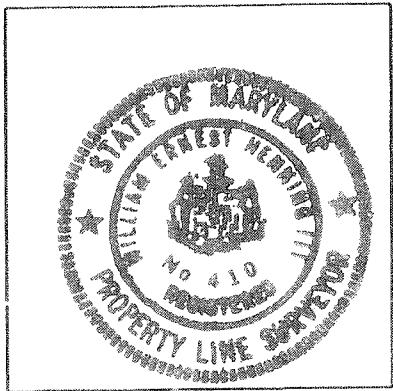
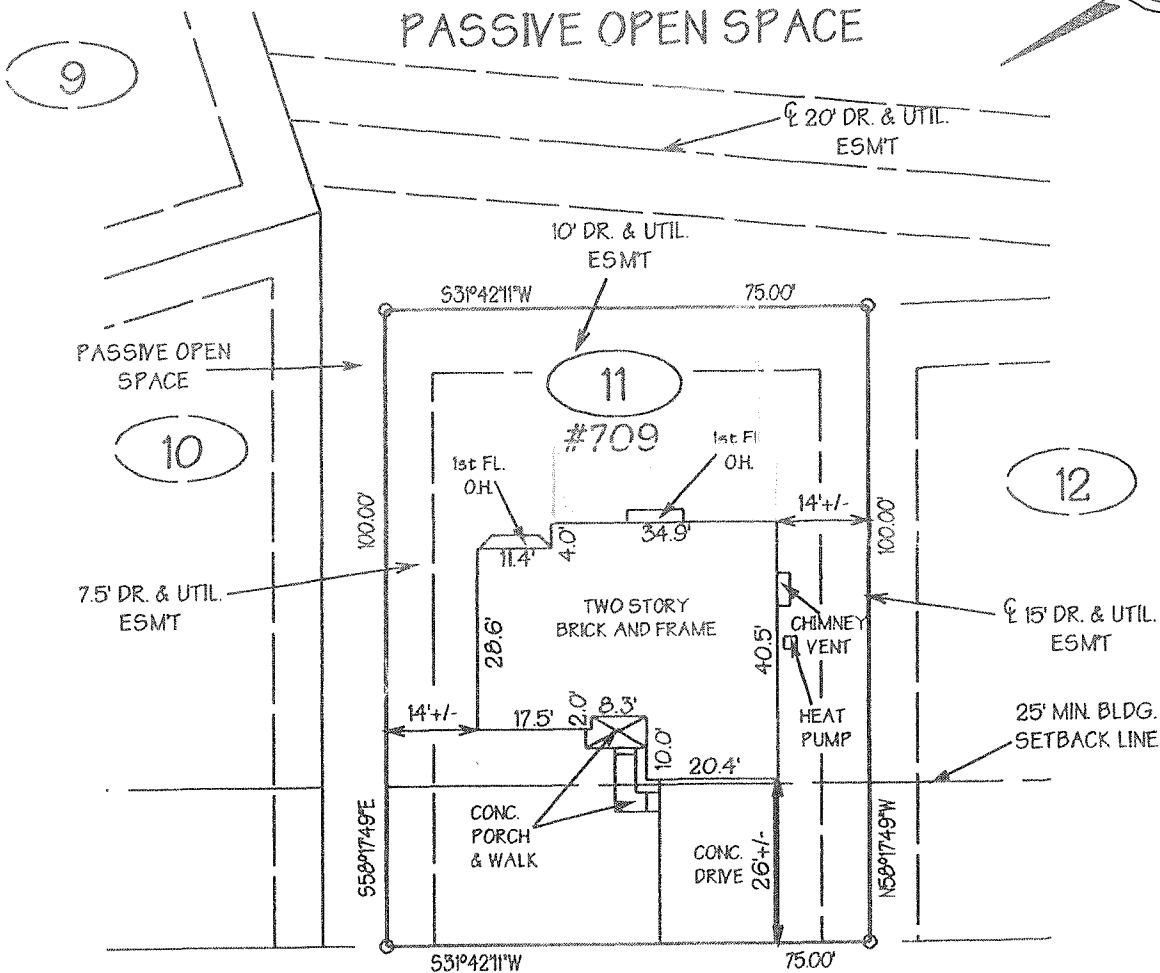
The Harford County Department of Planning and Zoning recently informed me that my house was built set back further from the road than required by Harford County regulations. Because there is no living space above the garage, my house could have been built closer to the road. If the builder would have done that, there would have been enough footage in the rear of my home to build an average width deck, and the need to request a minor variance would not have been necessary.

The land behind my house's property line is passive open space and backs up to a wooded area. A copy of my property plat showing a scaled drawing of the deck is attached.

This minor variance would not be detrimental, impair, or adversely affect adjacent properties in any way.

Each adjoining property owner as well as the property owner directly across the road support my request for this minor variance. They have all signed a letter stating that they do not oppose my request. The signed letters are attached.

I am aware of at least two other property owners on Scottish Isle Drive who have been granted a variance to build a deck larger than what I am requesting. A neighbor at 717 Scottish Isle was granted a variance and has completed construction of the deck. Another neighbor at 708 Scottish Isle has also been granted a variance, but has not yet begun construction.



### SCOTTISH ISLE DRIVE (50' R/W)

NOTE: Lot 11 shown hereon does not lie within any 100 year Flood Boundary, shown on National Flood Insurance Program, Flood Insurance Rate Map for Harford County, Maryland Community Panel Number 24025C0252 D, effective date January 7, 2000, but does lie within Zone X (areas determined to be outside 500-year floodplain) shown on said map.

THIS LOCATION DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH STATE OF MARYLAND BOARD FOR PROFESSIONAL LAND SURVEYORS MINIMUM STANDARDS OF PRACTICE. IT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS. IT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS LOCATION DRAWING IS TO CERTIFY THAT WE HAVE MADE A LOCATION SURVEY OF THE IMPROVEMENTS AND THAT THEY ARE LOCATED AS SHOWN HEREON, AND THAT THE DIMENSIONS SHOWN HEREON ARE WITHIN A TOLERANCE OF ONE FOOT. THIS SURVEY IS VOID UNLESS ORIGINAL SEAL, SIGNATURE, AND DATE ARE AFFIXED HEREON.

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES INC.  
(410) 879-1500  
203 EAST BROADWAY  
BEL AIR MD., 21014

*George William Stephens, Jr.*  
REG. NO. 410 ASSOCIATE DATE 05/24/01

BEING KNOWN AND DESIGNATED AS LOT 11 AS SHOWN ON PLAT ENTITLED "PHASE ONE SECTION ONE- PLAT THREE, MONMOUTH MEADOWS" AS RECORDED IN PLAT BOOK C.G.H. 100-6.

✓ #709 SCOTTISH ISLE DRIVE  
MONMOUTH MEADOWS

HARFORD CO., MD ELECT. DIST. NO. 1  
SCALE: 1" = 30' DATE: 5-24-01